

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

CONCORD MUSIC GROUP, INC., ET AL.,

*Plaintiffs,*

v.

ANTHROPIC PBC,

*Defendant.*

Case No. 3:23-cv-01092

Chief Judge Waverly D. Crenshaw, Jr.  
Magistrate Judge Alistair Newbern

**DECLARATION OF ANDREW M. GASS  
IN SUPPORT OF DEFENDANT’S OPPOSITION TO  
PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

I, Andrew M. Gass, declare the following:

1. I am a partner with the law firm of Latham & Watkins, LLP. I represent Defendant Anthropic PBC (“Anthropic”) in the above-captioned matter.
2. I submit this declaration in support of Anthropic’s Opposition to Plaintiffs’ Motion for Preliminary Injunction. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, could and would testify competently thereto.
3. Attached as **Exhibit A** hereto is a true and correct copy of email communications between counsel from Latham & Watkins, LLP and opposing counsel at Oppenheim + Zbrak, LLP between November 6, 2023 and January 16, 2024.
4. Attached as **Exhibit B** hereto is a true and correct copy of the December 7, 2023 hearing transcript regarding the defendants’ motion to dismiss in related cases *Silverman v. OpenAI, Inc.*, No. 23-cv-03416-AMO (N.D. Cal.); *Tremblay v. OpenAI, Inc.*, No. 23-cv-03223-AMO (N.D. Cal.); and *Chabon v. OpenAI, Inc.*, No. 23-cv-04625-AMO (N.D. Cal.).

5. Attached as **Exhibit C** hereto is a true and correct copy of the Anthropic website homepage, available at <https://www.anthropic.com/>.

6. Attached as **Exhibit D** hereto is a true and correct copy of a webpage on Anthropic's website entitled "Making AI systems you can rely on," available at <https://www.anthropic.com/company>.

7. Attached as **Exhibit E** hereto is a true and correct copy of a webpage on Anthropic's website entitled "Meet Claude," available at <https://www.anthropic.com/product>.

8. Attached as **Exhibit F** hereto is a true and correct copy of an article written by Pamela Samuelson published on July 14, 2023 in Volume 381, Issue 6654 of SCIENCE, entitled "Generative AI Meets Copyright."

I declare under penalty of perjury that to the best of my knowledge, information, and belief, the foregoing statements are true and correct.

Executed on January 16, 2024 at San Francisco.

A handwritten signature in black ink, appearing to read 'Andrew M. Gass', written over a horizontal line.

Andrew M. Gass